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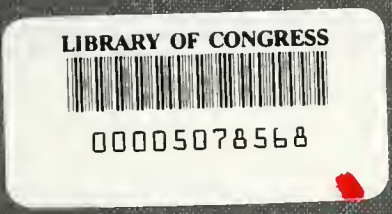

TO THE PEOPLE

OF THE

# CONGRESSIONAL DISTRICT

COMPOSED OF THE

COUNTIES OF FAYETTE, WOODFORD, AND CLARKE,

IN KENTUCKY.

Henry Clay

E375
C643

# ADDRESS.

*To the people of the Congressional District composed of the Counties of Fayette, Woodford, and Clarke, in Kentucky.*

The relations of your representative and of your neighbour in which I have so long stood, and in which I have experienced so many strong proofs of your confidence, attachment and friendship, having just been, the one terminated, and the other suspended, I avail myself of the occasion on taking, I hope a temporary, leave of you, to express my unfeigned gratitude for all your favours, and to assure you that I shall cherish a fond and unceasing recollection o them. The extraordinary circumstances in which, during the late session of Congress, I have been placed, and the unmerited animadversions which I have brought upon myself, for an honest and faithful discharge of my public duty, form an additional motive for this appeal to your candour and justice If, in the office which I have just left, I have abused your confidence and betrayed your interests, I cannot deserve your support in that on the duties of which I have now entered. On the contrary, should it appear that I have been assailed without just cause, and that misguided zeal and interested passions have singled me out as a victim, I cannot doubt that I shall continue to find, in the

enlightened tribunal of the public, that cheering countenance and impartial judgment, without which a public servant cannot possibly discharge with advantage the trust confided to him.

It is known to you, that my name had been presented, by the respectable states of Ohio, Kentucky, Louisiana and Missouri, for the office of President, to the consideration of the American public, and that it had attracted some attention in other quarters of the Union. When, early in November last, I took my departure from the district to repair to this city, the issue of the Presidential election before the people was unknown. Events, however, had then so far transpired as to render it highly probable that there would be no election by the people, and that I should be excluded from the House of Representatives. It became, therefore, my duty to consider, and to make up an opinion on, the respective pretensions of the three gentlemen that might be returned, and at that early period I stated to Dr. Drake, one of the Professors in the Medical School of Transylvania University, and to John J. Crittenden, Esq. of Frankfort, my determination to support Mr. Adams in preference to Gen. Jackson. I wrote to Charles Hammond, Esq. of Cincinnati, about the same time, and mentioned certain objections to the election of Mr Crawford, (among which was that of his continued ill health,) that appeared to me almost insuperable. During my journey hither, and up to near Christmas, it remained uncertain whether Mr. Crawford or I would be returned to the House of Representatives. Up to near Christmas, all our information made it highly probable that the vote of Louisiana would be given to me, and that I should consequently be returned, to the exclusion of Mr. Crawford. And, whilst that probability was strong, I communicated to Mr. Senator Johnston, from Louisiana my resolution not to allow my name, in consequence of the small number of votes by which it would be

carried into the House, if I were returned, to constitute an obstacle, for one moment, to an election in the House of Representatives.

During the month of December, and the greater part of January, strong professions of high consideration, and of unbounded admiration of me, were made to my friends, in the greatest profusion, by some of the active friends of all the returned candidates. Every body professed to regret, after I was excluded from the House, that I had not been returned to it. I seemed to be the favourite of every body. Describing my situation to a distant friend, I said to him, "I am enjoying, whilst alive, the posthumous honors which are usually awarded to the venerated dead." A person not acquainted with human nature would have been surprised, in listening to these praises, that the object of them had not been elected by general acclamation. None made more or warmer manifestations of these sentiments of esteem and admiration, than some of the friends of General Jackson. None were so reserved as those of Mr. Adams; under an opinion, (as I have learnt since the election,) which they early imbibed, that the western vote would be only influenced by its own sense of public duty; and that if its judgment pointed to any other than Mr. Adams, nothing which they could do would secure it to him. These professions and manifestations were taken by me for what they were worth. I knew that the sunbeams would quickly disappear, after my opinion should be ascertained, and that they would be succeeded by a storm; although I did not foresee exactly how it would burst upon my poor head. I found myself transformed from a candidate before the people, into an elector for the people. I deliberately examined the duties incident to this new attitude, and weighed all the facts before me, upon which my judgment was to be formed or reviewed. If the eagerness of any of the heated partisans of the respective candidates suggested a tardiness in the

declaration of my intention, I believed that the new relation, in which I was placed to the subject, imposed on me an obligation to pay some respect to delicacy and decorum.

Meanwhile that very reserve supplied aliment to newspaper criticism The critics could not comprehend how a man, standing as I had stood towards the other gentlemen, should be restrained, by a sense of propriety, from instantly fighting under the banners of one of them, against the others. Letters were issued from the manufactory at Washington, to come back, after performing long journeys, for Washington consumption. These letters imputed to "Mr. Clay and his friends a mysterious air, a portentous silence," &c. From dark and distant hints the progress was easy to open and bitter denunciation. Anonymous letters, full of menace and abuse, were almost daily poured in on me. Personal threats were communicated to me, through friendly organs, and I was kindly apprised of all the glories of village effigies which awaited me. A systematic attack was simultaneously commenced upon me from Boston to Charleston, with an object, present and future, which it was impossible to mistake. No man but myself could know the nature, extent, and variety of means which were employed to awe and influence me. I bore them, I trust, as *your* representative ought to have borne them, and as became me. Then followed the letter, afterwards adopted as his own by Mr. Kremer, to the Columbian Observer — With its character and contents you are well acquainted. When I saw that letter, alleged to be written by a member of the very House over which I was presiding, who was so far designated as to be described as belonging to a particular delegation, by name, a member with whom I might be daily exchanging, at least on my part, friendly salutations, and who was possibly receiving from me constantly acts of courtesy and kindness, I felt that I could no longer remain silent. A crisis appeared to me to have arisen in my public life. I issued my card. I ought not to have put in it the

last paragraph, because, although it does not necessarily imply the resort to a personal combat, it admits of that construction; nor will I conceal that such a possible issue was within my contemplation. I owe it to the community to say, that whatever heretofore I may have done, or, by inevitable circumstances, might be forced to do, no man in it holds in deeper abhorrence than I do, that pernicious practice. Condemned as it must be by the judgment and philosophy, to say nothing of the religion, of every thinking man, it is an affair of feeling about which we cannot, although we should, reason. Its true corrective will be found when all shall unite, as all ought to unite, in its unqualified proscription.

A few days after the publication of my Card, "Another Card," under Mr. Kremer's name, was published in the Intelligencer. The night before, as I was voluntarily informed, Mr. Eaton, a Senator from Tennessee, and the Biographer of Gen. Jackson (who boarded in the end of this city opposite to that in which Mr. Kremer took up his abode, a distance of about two miles and an half) was closeted for some time with him. Mr. Kremer is entitled to great credit for having overcome all the disadvantages, incident to his early life and want of education, and forced his way to the honourable station of a member of the House of Representatives. Ardent in his attachment to the cause which he had espoused, Gen. Jackson is his idol, and of his blind zeal others have availed themselves, and have made him their dupe and their instrument. I do not pretend to know the object of Mr. Eaton's visit to him. I state the fact, as it was communicated to me, and leave you to judge. Mr. Kremer's card is composed with some care and no little art, and he is made to avow in it, though somewhat equivocally, that he is the author of the letter to the Columbian Observer. To Mr. Crowninshield, a member from Massachusetts, formerly Secretary of the Navy, he declared that he was not the author of that letter. In his Card, he

draws a clear line of separation between my friends and me, acquitting them, and undertaking to make good his charges, in that letter, only so far as I was concerned. The purpose of this discrimination is obvious. At that time the election was undecided, and it was therefore as important to abstain from imputations against my friends, as it was politic to fix them upon me. If they could be made to believe that I had been perfidious, in the transport of their indignation, they might have been carried to the support of Gen. Jackson. I received the National Intelligencer, containing Mr. Kremer's card, at breakfast, (the usual time of its distribution,) on the morning of its publication. As soon as I read the card, I took my resolution. The terms of it clearly implied that it had not entered into his conception to have a personal affair with me; and I should have justly exposed myself to universal ridicule, if I had sought one with *him*. I determined to lay the matter before the House and respectfully to invite an investigation of my conduct. I accordingly made a communication to the House, on the same day, the motives for which I assigned. Mr. Kremer was in his place, and, when I sat down, rose and stated that he was prepared and willing to substantiate his charges against me. This was his voluntary declaration, unprompted by his aiders and abettors, who had no opportunity of previous consultation with him on that point. Here was an issue publicly and solemnly joined, in which the accused invoked an inquiry into serious charges against him, and the accuser professed an ability and a willingness to establish them. A debate ensued, on the next day, which occupied the greater part of it, during which Mr. Kremer declared to Mr. Brent, of Louisiana, a friend of mine, and to Mr. Little, of Maryland, a friend of Gen. Jackson, as they have certified, "that he never intended to charge Mr. Clay with corruption or dishonor, in his intended vote for Mr. Adams as President, or that he

had transfered, or could transfer, the votes or interest of his friends; that he (Mr. Kremer) was among the last men in the nation to make such a charge *against Mr. Clay;* and that his letter was never intended to convey the idea given to it." Mr. Digges, a highly respectable inhabitant of this city, has certified to the same declarations of Mr. Kremer.

A message was also conveyed to me, during the discussions, through a member of the House, to ascertain if I would be satisfied with an explanation which was put on paper and shown me, and which it was stated Mr. Kremer was willing, in his place, to make. I replied that the matter was in the possession of the House. I was afterwards told that Mr. Ingham, of Pennsylvania, got hold of that paper, put it in his pocket, and that he advised Mr. Kremer to take no step without the approbation of his friends. Mr. Cook, of Illinois, moved an adjournment of the House, on information which he received of the probability of Mr. K.'s making a satisfactory atonement, on the next day, for the injury which he had done me, which I have no doubt he would have made, if he had been left to the impulses of his native honesty. The House decided to refer my communication to a committee, and adjourned until the next day to appoint it by ballot. In the mean time Mr. Kremer had taken, I presume, or rather there had been forced upon him, the advice of *his friends*, and I heard no more of the apology. A committee was appointed of seven gentlemen, of whom not one was my political friend, but who were among the most eminent members of the body. I received no summons or notification from the committee from its first organization to its final dissolution, but Mr. Kremer was called upon by it to bring forward his proofs. For one moment be pleased to stop here and contemplate his posture, his relation to the House and to me, and the high obligations under which he had voluntarily placed himself. He was a member of one of the most august assemblies

upon earth, of which he was bound to defend the purity, or expose the corruption, by every consideration which ought to influence a patriot bosom. A most responsible and highly important constitutional duty was to be performed by that assembly. He had chosen, in an anonymous letter, to bring against its presiding officer charges, in respect to that duty, of the most flagitious character. These charges comprehended delegations from several highly respectable states. If true, that presiding officer merited not merely to be dragged from the chair, but to be expelled the House.—He challenges an investigation into his conduct, and Mr. Kremer boldly accepts the challenge, and promises to sustain his accusation. The committee, appointed by the House itself, with the common consent of both parties, calls upon Mr. Kremer to execute his pledge, publicly given in his proper place, and also previously given in the public prints. Here is the theatre of the alleged arrangements; this the vicinage in which the trial ought to take place.—Every thing was here fresh in the recollection of the witnesses, if there were any. Here all the proofs were concentrated. Mr. Kremer was stimulated by every motive which could impel to action, by consistency of character; by duty to *his* constituents—to his country; by that of redeeming his solemn pledge; by his anxious wish for the success of his favourite, whose interests could not fail to be advanced by supporting his atrocious charges. But Mr. Kremer had now the benefit of the advice of his friends. He had no proofs, for the plainest of all reasons, because there was no truth in his charges. They saw that to attempt to establish them, and to fail, as he must fail, in the attempt, might lead to an exposure of the conspiracy, of what he was the organ. They advised therefore that he should make a retreat, and their adroitness suggested that, in an objection to that jurisdiction of the House, which had been admitted, and in the popular topics of the free-

dom of the press, *his* duty to his constituents, and the inequality in the condition of the Speaker of the House and a member on the floor, plausible means might be found to deceive the ignorant, and conceal his disgrace. A laboured communication was accordingly prepared by them, in Mr. Kremer's name, and transmitted to the committee, founded upon these suggestions. Thus the valiant champion, who had boldly stepped forward, and promised, as a Representative of *the* people, to "cry aloud and spare not." forgot all his gratuitous gallantry and boasted patriotism, and sunk at once into profound silence.

With these remarks, I will, for the present, leave him, and proceed to assign the reasons to you, to whom alone I admit myself to be officially responsible, for the vote which I gave on the Presidential election. The first inquiry which it behoved me to make was, as to the influence which ought to be exerted on my judgment, by the relative state of the electoral votes which the three returned candidates brought into the House, from the colleges. General Jackson obtained 99, Mr Adams 84, and Mr. Crawford 41. Ought the fact of a plurality being given to one of the candidates to have any, and what, weight? If the Constitution had intended that it should have been decisive, the Constitution would have made it decisive, and interdicted the exercise of any discretion on the part of the House of Representatives. The Constitution has not so ordained, but, on the contrary, it has provided, that "from the persons having the highest numbers, not exceeding three, on the list of those voted for as President, the H. of Representatives shall *choose*, immediately, by ballot, a President." Thus, a discretion is necessarily invested in the House; for choice implies examination, comparison, judgment.—The fact, therefore, that one of the three persons was the highest returned, not being, by the constitution of the country, conclusive upon the judgment of the House, it still re-

mains to determine what is the true degree of weight belonging to it? It has been contended that it should operate, if not as an instruction, at least in the nature of one, and that in this form it should control the judgment of the House. But this is the same argument of conclusiveness, which the constitution does not enjoin, thrown into a different, but more imposing shape. Let me analyze it.—There are certain States, the aggregate of whose electoral votes conferred upon the highest returned candidate, indicates their wish that he should be the President. Their votes amount in number to 99, out of the 261 electoral votes of the whole Union. These 99 do not, and cannot, of themselves, make the President. If the fact of particular states giving 99 votes can, according to any received notions of the doctrine of instruction, be regarded in that light, to whom are those instructions to be considered addressed? According to that doctrine, the people, who appoint, have the right to direct, by their instructions, in certain cases, the course of the representative whom they appoint. The States, therefore, who gave those 99 votes may, in some sense, be understood thereby to have instructed *their* representatives in the House to vote for the person on whom they were bestowed, in the choice of a President. But most clearly the representatives coming from other states, which gave no part of those 99 votes, cannot be considered as having been under any obligation to surrender their judgments to those of the States which gave the 99 votes. To contend that they are under such an obligation, would be to maintain that the people of one state have the right to instruct the representatives from another state. It would be to maintain a still more absurd proposition, that, in a case where the representatives from a state did not hold themselves instructed and bound by the will of that state, as indicated in its electoral college, the representatives from another state were, nevertheless, in-

structed and bound by that alien will. Thus, the entire vote of North-Carolina, and a large majority of that of Maryland, in their respective electoral colleges, were given to one of the three returned candidates, for whom the delegation from neither of those states voted.—And yet the argument combatted requires that the delegation from Kentucky, who do not represent the people of North-Carolina nor Maryland, should be instructed by, and give an effect to, the indicated will of the people of those two states, when their own delegation paid no attention to it. Doubtless, those delegations felt themselves authorized to look into the actual composition of, and all other circumstances connected with, the majorities which gave the electoral votes, in their respective states; and felt themselves justified, from a view of the whole ground, to act upon their responsibility and according to their best judgments, disregarding the electoral votes in their states. And are the representatives from a different state not only bound by the will of the people of a different commonwealth, but forbidden to examine into the manner by which the expression of that will was brought about—an examination which the immediate representatives themselves feel it their duty to make?

Is the fact, then, of a plurality to have no weight? Far from it. Here are 24 communities, united under a common government. The expression of the will of any one of them is entitled to the most respectful attention. It ought to be patiently heard and kindly regarded by the others; but it cannot be admitted to be conclusive upon them. The expression of the will of 99 out of 261 electors is entitled to very great attention, but that will cannot be considered as entitled to control the will of the 162 electors, who have manifested a different will. To give it such controlling influence, would be a subversion of the fundamental maxim of the Republic—that the majority should govern. The

will of the 99 can neither be allowed rightfully to control the remaining 162, nor any one of the 162 electoral votes. It may be an argument, a persuasion, addressed to all, and to each of them, but it is binding and obligatory upon none. It follows, then, that the fact of a plurality was only one among the various considerations which the House was called upon to weigh, in making up its judgment. And the weight of the consideration ought to have been regulated by the extent of the plurality. As between General Jackson and Mr. Adams, the vote standing in the proportions of 99 to 84, it was entitled to less weight ; as between the General and Mr. Crawford it was entitled to more, the vote being as 99 to 41. The concession may even be made that, upon the supposition of an equality of pretensions between competing candidates, the preponderance ought to be given to the fact of a plurality.

With these views of the relative state of the vote, with which the three returned candidates entered the House, I proceeded to examine the other considerations which belonged to the question. For Mr. Crawford, who barely entered the House, with only four votes more than one candidate not returned, and upon whose case, therefore, the argument derived from the fact of plurality, operated with strong, though not decisive force, I have ever felt much personal regard. But I was called upon to perform a solemn public duty, in which my private feelings, whether of affection or aversion, were not to be indulged, but the good of my country only consulted. It appeared to me that the precarious state of that gentleman's health, although I participated with his best friends, in all their regrets and sympathies, on account of it, was conclusive against him, to say nothing of other considerations of a public nature which would have deserved examination, if, happily, in that respect, he had been differently circumstanced. He had been ill near eighteen months ; and although I am aware that

his actual condition was a fact depending upon evidence, and that the evidence in regard to it, which had been presented to the public, was not perfectly harmonious, I judged for myself upon what I saw and heard.' He may, and I ardently hope, will, recover; but I did not think it became me to assist in committing the Executive administration of this great Republic on the doubtful contingency of the restoration to health of a gentleman who had been so long and so seriously afflicted. Moreover, if, under all the circumstances of his situation, his election had been desirable, I did not think it practicable. I believed, and yet believe, that if the votes of the Western States, given to Mr. Adams, had been conferred on Mr. Crawford, the effect would have been to protract in the House the decision of the contest, to the great agitation and distraction of the country, and, possibly, to defeat an election altogether—the very worst result, I thought, that could happen. It appeared to me then, that sooner or later we must arrive at the only practical issue of the contest before us, and that was between Mr. Adams and General Jackson, and I thought that the earlier we got there, the better for the country and for the House.

In considering this only alternative, I was not unaware of your strong desire to have a Western President; but I thought that I knew enough of your patriotism, and magnanimity, displayed on so many occasions, to believe that you could rise above the mere gratification of sectional pride, if the common good of the whole required you to make the sacrifice of local partiality. I solemnly believed it did, and this brings me to the most important consideration which belonged to the whole subject—that arising out of the respective fitness of the only two real competitors, as it appeared to my best judgment. In speaking of Gen. Jackson, I am aware of the delicacy and respect which are justly due to that distinguished citizen. It is far from

my purpose to attempt to disparage him. I could not do it if I were capable of making the attempt; but I shall nevertheless speak of him as becomes me, with truth I did not believe him so competent to discharge the various, intricate, and complex duties of the office of Chief Magistrate, as his competitor. He has displayed great skill and bravery as a military commander; and his renown will endure as long as the means exist of preserving a recollection of human transactions. But to be qualified to discharge the duties of President of the United States, the incumbent must have more than mere military attainments —he must be a STATESMAN. An individual may be a gallant and successful general, an eminent lawyer, an eloquent divine, a learned physician, or an accomplished artist; and doubtless the union of all these characters in the person of a Chief Magistrate would be desirable; but no one of them, nor all combined, will qualify him to be President, unless he superadds that indispensable requisite of being a statesman. Far from meaning to say, that it is an objection to the elevation, to the chief magistracy, of any person, that he is a military commander, if he unites the other qualifications, I only intend to say that, whatever may be the success or splendor of his military achievements, if his qualification be *only* military, that is an objection, and I think a decisive objection to his election. If General Jackson has exhibited, either in the councils of the Union, or in those of his own state, or in those of any other state or territory, the qualities of a statesman, the evidence of the fact has escaped my observation. It would be as painful as it is unnecessary to recapitulate some of the incidents, which must be fresh in your recollection, of his public life. But I was greatly deceived in my judgment if they proved him to be endowed with that prudence, temper, and discretion, which are necessary for civil administration. It was in vain to remind me of the illustrious example of Washington. There was, in that ex-

traordinary person, united a serenity of mind, a cool and collected wisdom, a cautious and deliberate judgment, a perfect command of the passions, and throughout his whole life, a familiarity and acquaintance with business and civil transactions, which rarely characterize any human being. No man was ever more deeply penetrated than he was, with profound respect for the safe and necessary principle of the entire subordination of the military to the civil authority. I hope I do no injustice to General Jackson, when I say, that I could not recognise, in his public conduct, those attainments for both civil government and military command, which cotemporaries and posterity have alike unanimously concurred in awarding as yet only to the father of his country. I was sensible of the gratitude which the people of this country justly feel towards Gen. Jackson for his brilliant military services. But the impulses of public gratitude should be controled, it appeared to me, by reason and discretion, and I was not prepared blindly to surrender myself to the hazardous indulgence of a feeling, however amiable and excellent that feeling may be when properly directed. It did not seem to me to be wise or prudent, if, as I solemnly believed, General Jackson's competency for the office was highly questionable, that he should be placed in a situation where neither his fame nor the public interests would be advanced. General Jackson himself would be the last man to recommend or vote for any one for a place, for which he thought him unfit. I felt myself sustained by his own reasoning, in his letter to Mr. Monroe, in which, speaking of the qualifications of our venerable Shelby for the Department of War, he remarked: "I am compelled to say to you, that the acquirements of this worthy man are not competent to the discharge of the multiplied duties of this Department. I therefore hope he may not accept the appointment. I am fearful, if he does, he will not add much splendor to his present well-earned standing as a public character." Such

was my opinion of General Jackson, in reference to the Presidency. His convictions of Governor Shelby's unfitness, by the habits of his life, for the appointment of Secretary of War, were not more honest nor stronger than mine were of his own want of experience, and the necessary civil qualifications to discharge the duties of a President of the United States. In his elevation to this office, too, I thought, I perceived the establishment of a fearful precedent; and I am mistaken in all the warnings of instructive history, if I erred in my judgment. Undoubtedly there are other and many dangers to public liberty, besides that which proceeds from military idolatry, but I have yet to acquire the knowledge of it, if there be one more perilous or more frequent.

Whether Mr. Adams would or would not have been my choice of a President, if I had been left freely to select from the whole mass of American citizens, was not the question submitted to my decision. I had no such liberty: but I was circumscribed, in the selection I had to make, to one of the three gentlemen, whom the people themselves had thought proper to present to the House of Representatives. Whatever objections might be supposed to exist against him, still greater appeared to me to apply to his competitor. Of Mr. Adams, it is but truth and justice to say, that he is highly gifted, profoundly learned, and long and greatly experienced in public affairs, at home and abroad. Intimately conversant with the rise and progress of every negotiation with foreign powers, pending or concluded; personally acquainted with the capacity and attainments of most of the public men of this country, whom it might be proper to employ in the public service; extensively possessed of much of that valuable kind of information, which is to be acquired neither from books nor tradition, but which is the fruit of largely participating in public affairs; discreet and sagacious; he would enter on the duties of the office with great advantages. I saw in his

election the establishment of no dangerous example. I saw in it, on the contrary, only conformity to the safe precedents which had been established in the instances of Mr. Jefferson, Mr. Madison, and Mr. Monroe, who had respectively filled the same office from which he was to be translated.

A collateral consideration of much weight was derived from the wishes of the Ohio delegation. A majority of it, during the progress of the session, made up their opinions to support Mr. Adams, and they were communicated to me. They said, "Ohio supported the candidate who was the choice of Kentucky. We failed in our common exertions to secure his election. Now, among those returned, we have a decided preference, and we think you ought to make some sacrifice to gratify us." Was not much due to our neighbour and friend?

I considered, with the greatest respect, the resolution of the General Assembly of Kentucky, requesting the delegation to vote for General Jackson. That resolution, it is true, placed us in a peculiar situation. Whilst every other delegation, from every other state in the Union, was left by its Legislature entirely free to examine the pretensions of all the candidates, and to form its unbiased judgment, the General Assembly of Kentucky thought proper to interpose and to request the delegation to give its vote to one of the candidates, whom they were pleased to designate. I felt a sincere desire to comply with a request emanating from a source so respectable, if I could have done so consistently with those paramount duties which I owed to you and to the country. But, after full and anxious consideration, I found it incompatible with my best judgment of those duties to conform to the request of the General Assembly. The resolution asserts, that it was the wish of the people of Kentucky, that their delegation should vote for the General. It did not inform me by what means that body had arrived at a knowledge of the wish of the people.

I knew that its members had repaired to Frankfort before I departed from home to come to Washington. I knew their their attention was fixed on important local concerns, well entitled, by their magnitude, exclusively to engross it No election, no general expression of the popular sentiment had occurred since that in November, when electors were chosen, and at that the people, by an overwhelming majority, had decided against General Jackson. I could not see how such an expression *against* him, could be interpreted into that of a desire *for* his election. If, as is true, the candidate whom they preferred, were not returned to the House, it is equally true, that the *state* of the contest as it presented itself here to me, had never been considered, discussed, and decided by the people of Kentucky, in their collective capacity. What would have been their decision on this *new* state of the question, I might have undertaken to conjecture, but the certainty of any conclusion of fact, as to their opinion, at which I could arrive, was by no means equal to that certainty of conviction of my duty to which I was carried by the exertion of my best and most deliberate reflections. The letters from home, which some of the delegation received, expressed the most opposite opinions, and there were not wanting instances of letters from some of the very members who had voted for the resolution, advising a different course. I received from a highly respectable portion of my constituents a paper, instructing me as follows: "We, the undersigned voters in the Congressional district, having viewed the instruction or request of the Legislature of Kentucky, on the subject of choosing a President and Vice-President of the United States, with regret, and the said request or instruction to our representative in Congress from this district, being without our knowledge or consent; we for many reasons known to ourselves, connected with so momentous an occasion, hereby *instruct* our representative in Congress to vote on this occasion agreeable to his own judgment, and by the best lights he may

have on the subject, with, or without, the consent of the Legislature of Kentucky." This instruction came both unexpected and unsolicited by me, and it was accompanied by letters assuring me, that it expressed the opinion of a majority of my constituents. I could not therefore regard the resolution as conclusive evidence of your wishes.

Viewed as a mere request, as it purported to be, the General Assembly doubtless had the power to make it. But then, with great deference, I think it was worthy of serious consideration whether the dignity of the General Assembly ought not to have induced it to forbear addressing itself, not to another legislative body, but to a small part of it, and requesting the members who composed that part, in a case which the constitution had confided to them, to vote according to the wishes of the General Assembly, whether those wishes did or did not conform to their sense of duty. I could not regard the resolution as an instruction; for, from the origin of our State, its legislature has never assumed nor exercised the right to instruct the Representatives in Congress. I did not recognise the right, therefore, of the Legislature to instruct me. I recognised that right only when exerted by you. That the portion of the public servants who made up the General Assembly have no right to instruct that portion of them who constituted the Kentucky delegation in the House of Representatives, is a proposition too clear to be argued. The members of the General Assembly would have been the first to behold as a presumptuous interposition, any instruction, if the Kentucky delegation could have committed the absurdity to issue, from this place, any instruction to them to vote in a particular manner on any of the interesting subjects which lately engaged their attention at Frankfort. And although nothing is further from my intention than to impute either absurdity or presumption to the General Assembly, in the adoption of the resolution referred to, I must say that the difference between an instruction emanating from them to

the delegation, and from the delegation to them, is not in principle, but is to be found only in the degree of superior importance which belongs to the General Assembly.

Entertaining these views of the election on which it was made my duty to vote, I felt myself bound, in the exercise of my best judgment, to prefer Mr. Adams; and I accordingly voted for him. I should have been highly gratified if it had not been my duty to vote on the occasion; but that was not my situation, and I did not choose to shrink from any responsibility which appertained to your Representative. Shortly after the election, it was rumored that Mr. Kremer was preparing a publication, and the preparations for it which were making excited much expectation. Accordingly, on the 26th of February, the address, under his name, to the "Electors of the ninth Congressional District of the State of Pennsylvania," made its appearance in the Washington City Gazette. No member of the House, I am persuaded, believed that Mr. Kremer wrote one paragraph of that address, or of the plea, which was presented to the committee, to the jurisdiction of the House. Those who counselled him, and composed both papers, and their purposes, were just as well known as the author of any report from a committee to the House. The first observation which is called for by the address is the *place* of its publication. That place was in this City, remote from the centre of Pennsylvania, near which Mr. Kremer's district is situated, and in a paper having but a very limited, if any, circulation in it. The *time* is also remarkable. The fact that the President intended to nominate me to the Senate for the office which I now hold, in the course of a few days, was then well known; and the publication of the address was, no doubt, made less with an intention to communicate information to the electors of the ninth Congressional District of Pennsylvania, than to affect the decision of the Senate on the intended nomination. O

the character and contents of that address of Messrs. George Kremer & Co. made up, as it is, of assertion without proof, of inferences without premises, and of careless, jocose, and quizzing conversations of some of my friends, to which I was no party, and of which I had never heard, it is not my intention to say much. It carried its own refutation, and the parties concerned saw its abortive nature the next day in the indignant countenance of every unprejudiced and honorable member. In his card, Mr. Kremer had been made to say, that he held himself ready "to *prove*, to the satisfaction of unprejudiced minds, enough to satisfy them of the accuracy of the statements which are contained in that letter, *to the extent that they concern the course of conduct of H. Clay*" The object for excluding my friends from this pledge has been noticed. But now the election was decided, and there no longer existed a motive for discriminating between them and me. Hence the only statements that are made, in the address, having the semblance of proof, relate rather to them than to me; and the design was, by establishing something like facts upon them, to make those facts re-act upon me.

Of the few topics of the address upon which I shall remark, the first is, the accusation, brought forward against me, of violating instructions. If the accusation were true, who was the party offended, and to whom was I amenable? If I violated any instructions, they must have been yours, since you only had the right to give them, and to you alone was I responsible. Without allowing hardly time for you to hear of my vote, without waiting to know what your judgment was of my conduct, George Kremer & Co. chose to arraign me before the American public as the violater of instructions which I was bound to obey. If, instead of being, as you are, and I hope always will be, vigilant observers of the conduct of your public agents, jealous of your rights, and competent to protect and defend them,

you had been ignorant and culpably confiding, the gratuitous interposition, as your advocate, of the honorable George Kremer, of the ninth Congressional district in Pennsylvania, would have merited your most grateful acknowledgments. Even upon that supposition, his arraignment of me would have required for its support one small circumstance, which happens not to exist, and that is, the *fact* of your having actually instructed me to vote according to his pleasure.

The relations in which I stood to Mr. Adams constitute the next theme of the address, which I shall notice. I am described as having assumed "a position of peculiar and decided hostility to the election of Mr. Adams," and expressions towards him are attributed to me, which I never used. I am made also responsible for "pamphlets and essays of great ability," published by my friends in Kentucky, in the course of the canvass. The injustice of the principle of holding me thus answerable, may be tested by applying it to the case of General Jackson, in reference to publications issued, for example, from the Columbian Observer. That I was not in favour of the election of Mr. Adams, when the contest was before the people, is most certain. Neither was I in favour of that of Mr. Crawford or General Jackson. That I ever did any thing against Mr. Adams, or either of the other gentlemen, inconsistent with a fair and honorable competition, I utterly deny. My relations to Mr. Adams have been the subject of much misconception, if not misrepresentation. I have been stated to be under a public pledge to expose some nefarious conduct of that gentleman, during the negotiation at Ghent; which would prove him to be entirely unworthy of public confidence; and that, with a knowledge of his perfidy, I, nevertheless, voted for him. If these imputations are well founded, I should, indeed, be a fit object for public censure; but if, on the contrary, it shall be found that others, ini-

mical both to him and to me, have substituted their own interested wishes for my public promises, I trust that the indignation, which they would excite, will be turned from me. My letter, addressed to the Editors of the Intelligencer, under date of the 15th November, 1822, is made the occasion for ascribing to me the promise and the pledge to make those treasonable disclosures on Mr. Adams. Let that letter speak for itself, and it will be seen how little justification there is for such an assertion. It adverts to the controversy which had arisen between Messrs. Adams and Russell, and then proceeds to state that, "in the course of the several publications, of which it has been the occasion, and, particularly, in the appendix to a pamphlet which had been recently published by the Hon. John Quincy Adams, I think there are some errors (no doubt *unintentional*) both as to matters of fact and matters of opinion, in regard to the transactions at Ghent, relating to the navigation of the Mississippi, and certain liberties claimed by the United States in the Fisheries, *and to the part which I bore in those transactions.* These important interests are now well secured" — "An account, therefore, of what occurred in the negociation at Ghent, on those *two* subjects, is not, perhaps, necessary to the present or future security of any of the rights of the nation, and is *only* interesting as appertaining to its *past* history. With these impressions, and being extremely unwilling to present myself, at any time, before the public, I had *almost* resolved to remain silent, and thus expose myself to the inference of an acquiescence in the correctness of all the statements made by both my colleagues; but I have, on more reflection, thought it may be expected of me, and be considered as a duty on my part, to contribute all in my power towards a full and faithful understanding of the transactions referred to. Under this conviction, I will, at some future period, more propitious than the present to calm and dispassionate consideration, and when

there can be no misinterpretation of motives, lay before the public a narrative of those transactions, as I understood them."

From even a careless perusal of that letter, it is apparent, that the only *two* subjects of the negociations at Ghent to which it refers, were the navigation of the Mississippi and certain fishing liberties; that the errors, which I had supposed were committed, applied to both Mr. Russell and Mr. Adams, though more particularly to the appendix of the latter; that they were unintentional; that they affected myself principally; that I deemed them of no public importance, as connected with the then, or future security of any of the rights of the nation, but only interesting to its past history; that I doubted the necessity of my offering to the public any account of those transactions; and that the narrative which I promised was to be presented at a season of more calm, and when there could be no misinterpretation of motives. Although Mr. Adams believes otherwise, I yet think there are some unintentional errors, in the controversial papers between him and Mr. Russell. But I have reserved to myself an exclusive right of judging when I shall execute the promise which I have made, and I shall be neither quickened nor retarded in its performance, by the friendly anxieties of any of my opponents.

If injury accrue to any one by the delay in publishing the narrative, the public will not suffer by it. It is already known by the publication of the British and American projets, the protocols, and the correspondence between the respective plenipotentiaries, that the British government made at Ghent a demand of the navigation of the Mississippi, by an article in their projet nearly in the same words as those which were employed in the treaty of 1783; that a majority of the American commissioners was in favour of acceding to that demand, upon the condition that the British

government would concede to us the same fishing liberties, within their jurisdiction, as were secured to us by the same treaty of 1783; and that both demands were finally abandoned. The fact of these mutual propositions was communicated by me to the American public in a speech which I delivered in the House of Representatives, on the 29th day of January, 1816. Mr. Hopkinson had arraigned the terms of the treaty of peace, and charged upon the War and the Administration, the loss of the fishing liberties, within the British jurisdiction, which we enjoyed prior to the war. In vindicating, in my reply to him, the course of the government and the conditions of the peace, I stated:—

"When the British Commissioners demanded, in their projet, a renewal to Great Britain of the right to the navigation of the Mississippi, secured by the treaty of 1783, a bare majority of the American Commissioners offered to renew it, upon the condition that the liberties in question were renewed to us. He was not one of that majority. He would not trouble the Committee with his reasons for being opposed to the offer. A majority of his colleagues, *actuated he believed by the best motives*, made, however, the offer, and it was refused by the British Commissioners."

[See *Daily Nat. Intelligencer, of the* 21*st March*, 1816. And what I thought of my colleagues of the majority, appears from the same extract. The spring after the termination of the negotiations at Ghent, I went to London, and there entered upon a new and highly important negotiation with two of them, (Messrs. Adams and Gallatin,) which resulted, on the 3d July, 1815, in the Commercial Convention, which has been since made the basis of most of our commercial arrangements with foreign powers. Now, if I had discovered at Ghent, as has been asserted, that either of them was false and faithless to his country, would I have voluntarily commenced with them another negotiation? Further: there never has been a period, during our

whole acquaintance, that Mr. Adams and I have not exchanged when we have met, friendly salutations, and the courtesies and hospitalities of social intercourse.

The address proceeds to characterize the support which I gave to Mr. Adams as *unnatural*. The authors of the address have not stated why it is unnatural, and we are therefore left to conjecture their meaning. Is it because Mr. Adams is from New-England, and I am a citizen of the West? If it be unnatural in the Western States to support a citizen of New-England, it must be equally unnatural in the New-England States to support a citizen of the West. And, on the same principle, the New-England States ought to be restrained from concurring in the election of a citizen in the Southern States, or the Southern States from co-operating in the election of a citizen of New-England. And, consequently, the support which the last three Presidents have derived from New-England, and that which the Vice-President recently received, has been most unnaturally given. The tendency of such reasoning would be to denationalize us, and to contract every part of the Union within the narrow selfish limits of its own section. It would be still worse: it would lead to the destruction of the Union itself. For if it be unnatural in one section to support a citizen in another, the Union itself must be unnatural; all our ties; all our glories; all that is animating in the past; all that is bright and cheering in the future, must be unnatural. Happily, such is the admirable texture of our Union, that the interests of all its parts are closely interwoven. If there are strong points of affinity between the South and the West, there are interests of not less, if not greater, strength and vigour, binding the West, and the North, and the East.

Before I close this address, it is my duty, which I proceed to perform with great regret, on account of the occasion which calls for it, to invite your attention to a letter

addressed by Gen. Jackson to Mr. Swartwout, on the 23d Feb. last. The names of both the General and myself had been before the American public, for its highest office. We had both been unsuccessful. The unfortunate have usually some sympathy for each other. For myself, I claim no merit for the cheerful acquiescence which I have given in a result by which I was excluded from the House. I have believed that the decision by the constituted authorities, in favour of others, has been founded upon a conviction of the superiority of their pretensions. It has been my habit, when an election is once decided, to forget, as soon as possible, all the irritating circumstances which attended the preceding canvass. If one be successful, he should be content with his success. If he have lost it, railing will do no good. I never gave General Jackson nor his friends any reason to believe that I would, in any contingency, support him. He had, as I thought, no public claim, and I will now add, no personal claims, if these ought to be ever considered, to my support. No one, therefore, ought to have been disappointed or chagrined that I did not vote for him. No more than I was neither surprised nor disappointed, that he did not, on a more recent occasion, feel it to be his duty to vote for me. After commenting upon a particular phrase used in my letter to Judge Brooke, a calm reconsideration of which will, I think, satisfy any person that it was not employed in an offensive sense, if indeed it have an offensive sense, the General, in his letter to Mr Swartwout, proceeds to remark, "No one beheld me seeking through art or management to entice any representative in Congress from a conscientious responsibility to his own, or the wishes of his constituents. No midnight taper burnt by me; no secret conclaves were held, nor cabals entered into to persuade any one to a violation of pledges given, or of instructions received. By me no plans were concerted to impair the pure principles of our republican institutions, nor to pros-

trate that fundamental maxim which maintains the supremacy of the people's will. On the contrary, having never in any manner before the people or Congress interfered in the slightest degree with the question, my conscience stands void of offence, and will go quietly with me, regardless of the insinuations of those who, through management, may seek an influence not sanctioned by integrity and merit."—I am not aware that this defence of himself was rendered necessary by any charges brought forward against the General. Certainly I never made any such charges against him. I will not suppose that in the passages cited, he intended to impute to me the misconduct which he describes; and yet, taking the whole context of his letter together, and coupling it with Mr. Kremer's address, it cannot be disguised that others may suppose he intended to refer to me. I am quite sure that if he did, he could not have formed those unfavourable opinions of me upon any personal observation of my conduct made by himself; for, a supposition that they were founded upon his own knowledge, would imply that my lodgings and my person had been subjected to a system of espionage wholly incompatible with the open, manly, and honourable conduct of a gallant soldier. If he designed any insinuations against me, I must believe that he made them upon the information of others, of whom I can only say, that they have deceived his credulity, and are entirely unworthy of all credit. I entered into no cabals; I held no secret conclaves; I enticed no man to violate pledges given or instructions received. The members from Ohio and from the other Western States, with whom I voted, were all of them as competent as I was to form an opinion on the pending election. The M'Arthurs and the Metcalfes, and the other gentlemen from the West (some of whom have, if I have not, bravely "made an effort to repel an invading foe") are as incapable of dishonor as any men breathing; as disinterested, as unambitious, as ex-

clusively devoted to the best interests of their country. It was quite as likely that I should be influenced by them, as that I could control their votes. Our object was not to impair, but to preserve from all danger, the purity of our republican institutions. And how I prostrated the maxim which maintains the supremacy of the people's will, I am entirely at a loss to comprehend. The illusions of the General's imagination deceive him. *The people* of the United States had never decided the election in his favour. If the people had *willed* his election, he would have been elected. It was because they had *not willed* his election, nor that of any other candidate, that the duty of making a choice devolved on the House of Representatives.

The General remarks: "Mr. Clay has never yet risked himself for his country. He has never sacrificed his repose, nor made an effort to repel an invading foe; *of course*, his conscience assured him it was altogether wrong in any other man to lead his countrymen to battle and victory." The logic of this conclusion is not very striking. Gen. Jackson fights better than he reasons. When have I failed to concur in awarding appropriate honours to those who on the sea or on the land have sustained the glory of our arms, if I could not always approve of the acts of some of them? It is true, that it has been my misfortune never to have repelled an invading foe, nor to have led my countrymen to victory. If I had, I should have left to others to proclaim and appreciate the deed. The General's destiny and mine have led us in different directions. In the civil employments of my country, to which I have been confined, I regret that the little service which I have been able to render it, falls far short of my wishes. But, why this denunciation of those who have not repelled an invading foe, or led our armies to victory? At the very moment when he is inveighing against an objection to the election to the Presidency, founded upon the exclusive military nature of his merits, does he not perceive that he is establishing its

validity by proscribing every man who has not successfully fought the public enemy? And that, by such a general proscription, and the requirement of successful military service as the only condition of civil preferment, the inevitable effect would be the ultimate establishment of a Military Government?

If the contents of the letter to Mr. Swartwout were such as justly to excite surprise, there were other circumstances not calculated to diminish it. Of all the citizens of the United States, that gentleman is one of the last to whom it was necessary to address any vindication of Gen. Jackson. He had given abundant evidence of his entire devotion to the cause of the General. He was here after the election, and was one of a committee who invited the General to a public dinner, proposed to be given to him in this place. My letter to Judge Brooke was published in the papers of this City on the 12th of February. The General's note declining the invitation of Mr. Swartwout and others was published on the 14th in the National Journal. The probability therefore is, that he did not leave this City until after he had a full opportunity to receive, in a personal interview with the General, any verbal observations upon it which he might have thought proper to make. The letter to Mr. Swartwout bears date the 23d of February. If received by him in New-York, it must have reached him, in the ordinary course of the mail, on the 25th or 26th. Whether intended or not as a "private communication," and not for the "public eye," as alleged by him, there is much probability in believing that its publication in New-York, on the 4th March, was then made, like Mr. Kremer's address, with the view to its arrival in this City in time to affect my nomination to the Senate. In point of fact, it reached here the day before the Senate acted on that nomination.

Fellow-citizens, I am sensible that generally a public

officer had better abstain from any vindication of his conduct, and leave it to the candor and justice of his countrymen, under all its attending circumstances. Such has been the course which I have heretofore prescribed to myself. This is the first, as I hope it may be the last, occasion of my thus appearing before you. The separation which has just taken place between us, and the venom, if not the vigor, of the late onsets upon my public conduct, will, I hope, be allowed in this instance to form an adequate apology. It has been upwards of twenty years since I first entered the public service. Nearly three fourths of that time, with some intermissions, I have represented the same district in Congress, with but little variation in its form. During that long period, you have beheld our country passing through scenes of peace and war, of prosperity and adversity, and of party divisions, local and general, often greatly exasperated against each other. I have been an actor in most of those scenes. Throughout the whole of them you have clung to me with an affectionate confidence which has never been surpassed. I have found in your attachment, in every embarrassment in my public career, the greatest consolation, and the most encouraging support. I should regard the loss of it as one of the most afflicting public misfortunes which could befal me. That I have often misconceived your true interests is highly probable. That I have ever sacrificed them to the object of personal aggrandizement I utterly deny. And for the purity of my motives, however in other respects I may be unworthy to approach the Throne of Grace and Mercy, I appeal to the justice of my God, with all the confidence which can flow from a consciousness of perfect rectitude.

Your obedient servant,

H. CLAY.

*Washington, 26th March*, 1825.

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